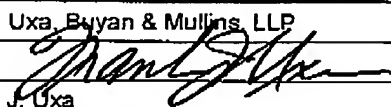


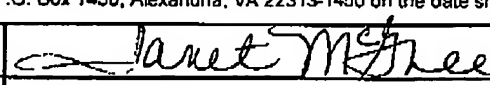
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<h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p>		Application Number	10/511,790
		Filing Date	June 17, 2005
		First Named Inventor	Kelly et al.
		Group Art Unit	1794
		Examiner Name	Corbin, Arthur L.
Total Number of Pages in This Submission	15	Attorney Docket Number	D-3173

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below)
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Stout, Uxa, Buyan & Mullins, LLP		
Signature			
Printed Name	Frank J. Uxa		
Date	July 29, 2008	Reg. No.	25,612

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Typed or printed name	Janet McGhee	Date	July 29, 2008

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D-3173

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/511,790 Confirmation No. 6291
Applicant : Kelly et al.
Filed : June 17, 2005
Title : ALGINATE OR LOW-METHOXY PECTATE GEL

TC/A.U. : 1700/1794
Examiner : Corbin, Arthur L.

Docket No. : D-3173
Customer No. : 33197

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July 29, 2008
Robert M. Ghera

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION UNDER RULE 116

Sir:

The above-identified application has been carefully reviewed in light of the Examiner's communication mailed May 29, 2008, which included a final rejection of all claims presented. Applicant respectfully requests that this REQUEST FOR RECONSIDERATION UNDER RULE 116 be entered and considered on its merits.

CLAIMS 26-28, 33-39, 41 AND 42 ARE NOVEL OVER WOOD

Claims 26-28, 33-39, 41 and 42 have been rejected under 35 U.S.C. 102(b) as being anticipated by Wood. For the following reasons, applicant traverses this rejection.